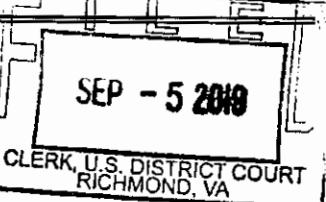


AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia



United States of America

v.

Chirag Janakbhai Choksi and
Shachi Naishadh Majmudar

Case No. 3:19 MJ 117

MAG 19 341

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of _____ Chesterfield in the
Eastern District of _____ Virginia, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 1343 and 2	Wire Fraud, and Aiding and Abetting (May 2, 2019)
18 U.S.C. § 1349	Conspiracy to Commit Wire Fraud (From on or about May 2, 2019, to June 14, 2019)
18 U.S.C. §§ 1028A and 2	Aggravated Identity Theft, and Aiding and Abetting (June 14, 2019)

This criminal complaint is based on these facts:

See attached affidavit

 Continued on the attached sheet.

Complainant's signature

Ronald E. Miller, FBI Special Agent

Printed name and title

/S/

David J. Novak
United States Magistrate Judge

Judge's signature

Date: September 5, 2019

City and state: Richmond, Virginia

David J. Novak, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Ronald E. Miller, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a special agent with the Federal Bureau of Investigation (FBI) since 2001. I am currently assigned to the FBI's Washington Field Office's securities fraud squad, which has investigative responsibility for economic crimes. I have also been assigned to the FBI's Minneapolis Field Office and to the FBI Headquarters' Criminal Investigative Division. I have been assigned to squads that focus on the investigation of white collar crimes (securities fraud, investment fraud, bankruptcy fraud, public corruption, and various financial scams) and Indian country crimes (death investigations, rapes, sexual and physical assaults, crimes against children, controlled substance act, arson, and financial crimes). I have earned a Bachelor's Degree in accounting and a Master's Degree in Business Administration. During my career as an FBI agent, I have conducted over 200 cases as the lead investigator. Prior to joining the FBI, I was an employed as an accountant for a Fortune 500 company.

2. I make this affidavit in support of a criminal complaint charging the following individuals, CHIRAG JANAKBHAI CHOKSI, DOB [REDACTED] 1984, and SHACHI NAISHADH MAJMUDAR, DOB [REDACTED] 1983, with: wire fraud, and aiding and abetting wire fraud, in violation of 18 U.S.C. §§ 1343 and 2; conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349; and aggravated identity theft, and aiding and abetting aggravated identity theft, in violation of 18 U.S.C. §§ 1028A and 2.

3. This affidavit is being submitted for the limited purpose to show merely that there is sufficient probable cause for the requested arrest warrants and does not set forth all

of my knowledge about this investigation. I have set forth facts that I believe are sufficient to charge CHOKSI and MAJMUDAR with the criminal conduct set forth herein. The legal authorities cited herein have been provided based on review of this affidavit and follow-on discussions with the Assistant United States Attorney assigned to the case.

RELEVANT STATUTORY PROVISIONS

4. **Wire Fraud:** Title 18, United States Code, Section 1343 provides in pertinent part:

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both.

5. **Conspiracy to Commit Wire Fraud:** Title 18, United States Code, Section 1349 provides:

Any person who attempts or conspires to commit [wire fraud] shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

6. **Aggravated Identity Theft:** Title 18, United States Code, Section 1028A provides in pertinent part that whoever, during and in relation to any felony violation enumerated in subsection (c), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years.

7. **Predicate Felony Offenses for Aggravated Identity Theft:** Wire fraud and conspiracy to commit wire fraud qualify as predicate felony offenses for aggravated identity theft pursuant to 18 U.S.C. § 1028A(c)(6).

8. **“Means of identification,”** as defined in 18 U.S.C. § 1028(d)(7), means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any— (A) name, social security number, date of birth, official State or government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number; (B) unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation; (C) unique electronic identification number, address, or routing code; or (D) telecommunication identifying information or access device (emphasis added);

9. **Venue for Prosecuting Aggravated Identity Theft:** For the purposes of prosecuting aggravated identity theft, venue is proper in any district(s) where the predicate felony offense was committed, even if the means of identification of another person was not transferred, possessed, or used in that district. For predicate offenses that are continuing offenses, such as wire fraud and conspiracy to commit wire fraud, venue may lie in any district where that crime was begun, continued, or completed. Because the commission of a predicate felony offenses is an essential element of a section 1028A offense, venue properly lies with respect to an aggravated identity theft offense in any district in which venue lies for the predicate offense. *See United States v. Magassouba*, 619 F.3d 202, 204 (2d Cir. 2010) (holding venue is proper in a prosecution for aggravated identity theft in any district where the predicate felony offense was committed).

PROBABLE CAUSE

10. This investigation involves a fraud scheme that is currently fashionable and being perpetrated by multiple criminal groups both nationally and internationally. These

schemes generally start with automated, previously recorded phone calls, commonly referred to as “robocalls,” that contain messages designed to create a sense of urgency with unsophisticated and/or unsuspecting recipients. These messages typically tell the recipients that they have some sort of serious legal problem, and that if they do not immediately take a particular action demanded by the callers then there will be drastic consequences, typically involving the arrest of the call recipients and/or significant financial penalties. The fraudsters almost invariably instruct the call recipients that in order to prevent these dire consequences the recipients must pay money, by wire transfer or cash, to some supposed government entity.

11. On June 21, 2019, an agent from the FBI interviewed **VICTIM #1** from Chesterfield, Virginia. **VICTIM #1** is a retired 65-year-old female living with her 32-year-old special needs son. On or about May 2, 2019, **VICTIM #1** was telephonically contacted by individuals claiming to be agents with the Drug Enforcement Administration (DEA). The individuals falsely claiming to be DEA agents advised **VICTIM #1** that a vehicle located near the Mexican border in Brownsville, Texas, contained cocaine and her bank information. The fraudsters then convinced **VICTIM #1** to surrender half the cash in her bank accounts in good faith until a thorough investigation had been completed to clear her name of any criminal activity. Upon completion of the investigation, **VICTIM #1**'s money would be returned and **VICTIM #1** would receive an official letter from the DEA clearing her name.

12. From May 2, 2019, through May 21, 2019, **VICTIM #1** withdrew approximately \$238,400 cash from her bank accounts and sent eight FedEx packages

containing the cash to addresses located in California and New Jersey at the direction of these individuals claiming to be DEA agents.

13. VICTIM #1 made the following three cash withdrawals totaling \$8,500 at the direction of the individuals claiming to be DEA agents: (1) on May 22, 2019, \$4,000 cash from a Bank of America branch located at 13500 Harbour Pointe Parkway, Midlothian, Virginia; (2) on May 23, 2019, \$3,000 cash from a Bank of America branch located at 13500 Harbour Pointe Parkway, Midlothian, Virginia; and (3) on May 23, 2019, \$1,500 cash from a Virginia Credit Union branch located at 14520 Hancock Village Street, Chesterfield, Virginia.

14. On May 23, 2019, VICTIM #1 then sent the \$8,500 cash via FedEx (tracking # 787443201636) to “ALDO RONALD” at a specific address located on Grey Widgeon Place (hereafter “the SUBJECT ADDRESS”), Eden Prairie, Minnesota, at the direction of the individuals claiming to be DEA agents.

15. From May 28, 2019, through June 17, 2019, VICTIM #1 sent an additional \$163,200 cash via ten FedEx packages to various addresses located in New Jersey, Indiana, Texas, and Illinois at the direction of the individuals claiming to be DEA agents.

16. On or about May 20, 2019, VICTIM #2, a 70-year-old male from Nevada, was scammed into sending two FedEx packages (one of the tracking # 787365220758) to “NIKOL GESPER” of the SUBJECT ADDRESS, Eden Prairie, Minnesota, containing a total of \$39,000 cash.

17. On or about May 23, 2019, and May 24, 2019, VICTIM #3, an 85-year-old male from Ohio, was scammed into sending two UPS packages (tracking # 1Z1EW2894100124562 and tracking # 1Z1EW2891500124478) to “ALDO RONALD”

of the SUBJECT ADDRESS, Eden Prairie, Minnesota, containing \$9,500 cash and \$20,000 cash respectively.

18. On or about May 16, 2019, VICTIM #4, an 82-year-old female from Washington, was scammed into sending a USPS package (tracking # EE459711324US) to “RONALD ALDO”¹ of the SUBJECT ADDRESS, Eden Prairie, Minnesota, containing \$10,000 cash.

19. On or about June 5, 2019, VICTIM #5, a 69-year-old male from Kansas, was scammed into sending a FedEx package (tracking # 415061211237) to “KENNY S. TUKKI” at a Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, containing \$10,000 cash. An empty box with a FedEx label (tracking # 415061211237) addressed to “KENNY S. TUKKI” at Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, was also located at the SUBJECT ADDRESS, Eden Prairie, Minnesota, during the execution of a search warrant on June 14, 2019, which is discussed further below. Walgreens was able to provide surveillance photographs of CHOKSI picking up a FedEx package (tracking # 415061211237) on June 6, 2019, to investigators with the Eden Prairie Police Department (“EPPD”), located in Eden Prairie, Minnesota.

20. On or about June 7, 2019, VICTIM #6, an 80-year-old female located in Massachusetts, was scammed into sending a FedEx package (tracking # 787738307625) to “KENNY S PUKKI” at a Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, containing \$9,500 cash. Walgreens was able to produce surveillance

¹ It should be noted that victims sent packages addressed to both “ALDO RONALD” and “RONALD ALDO.”

photographs of CHOKSI picking up FedEx package (tracking # 787738307625) on June 8, 2019, to investigators from the EPPD.

21. On or about June 6, 2019, **VICTIM #7**, a 76-year-old female located in North Carolina, was scammed into sending a UPS package (tracking # 1Z1R722W0191439731) to "KENNY S PUKKI" at a Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, containing \$6,500 cash. Walgreens was able to produce surveillance photographs of CHOKSI picking up UPS package (tracking # 1Z1R722W0191439731) on June 7, 2019, to investigators from the EPPD.

22. On June 13, 2019, officials with EPPD received a complaint from the niece of an 83-year-old female from Huntsville, Texas, **VICTIM #8**, who had been scammed for approximately \$9,000 cash. **VICTIM #8** had received a telephone call from an unidentified person claiming to be from the Social Security Administration (SSA). The unidentified caller then advised **VICTIM #8** that she owed \$9,000 in taxes to the SSA and if the money was not sent, two officers from the SSA would arrest her. The unidentified caller then instructed **VICTIM #8** to send cash via FedEx to "IVO E. HEISE" at a Walgreens located at 8240 Flying Cloud Drive, Eden Prairie, Minnesota. **VICTIM #8** withdrew \$8,900 cash from her bank account and sent the cash via FedEx Express Overnight (tracking # 106563788202) to "IVO E HEISE" at 8240 Flying Cloud Drive, Eden Prairie, Minnesota, on June 13, 2019.

23. On June 14, 2019, investigators from the EPPD, contacted the manager at Walgreens to discuss intercepting the FedEx package (tracking # 106563788202) sent by **VICTIM #8** to "IVO E. HEISE." The manager at Walgreens advised the FedEx package

(tracking # 106563788202) had been flagged as fraud and had been re-routed back to

VICTIM #8.

24. The manager at Walgreens then informed investigators from the EPPD that an additional FedEx package (tracking # 413039738541) was to be delivered to “IVO E. HEISE” from **VICTIM #9**, a 65-year-old female from Philadelphia, Pennsylvania. Investigators from the EPPD then set a surveillance perimeter on the exterior of the Walgreens located at 8240 Flying Cloud Drive, Eden Prairie, Minnesota, and waited for an individual to pick up the FedEx package (tracking # 413039738541) addressed to “IVO E HEISE.”

25. At approximately 9:15 AM on June 14, 2019, an unknown male was observed entering Walgreens and picking up the package addressed to “IVO E. HEISE” by investigators from the EPPD. The unknown male, later identified as CHIRAG JANAKBhai CHOKSI, was arrested by investigators from the EPPD upon exiting the Walgreens with the FedEx package sent by **VICTIM #9** and addressed to “IVO E. HEISE.”

26. A search incident to arrest revealed that CHOKSI possessed multiple Indian identifications cards. CHOKSI also possessed a counterfeit Pennsylvania driver’s license with the name of “IVO E. HEISE” with an address in Pittsburgh, Pennsylvania, that displayed CHOKSI’s photograph. The driver’s license in CHOKSI’s possession bore the valid Pennsylvania Operator License Number 24 309 808, which is legally assigned to an individual with the initials K.L.S. whose address is Melrose Park, Pennsylvania.

27. CHOKSI was then transported to the EPPD and interviewed by investigators from the EPPD. CHOKSI stated he resides at the SUBJECT ADDRESS,

Eden Prairie, Minnesota, and had picked up three packages in the last week containing cash for his friend, identified herein as "S.K.," who resides in India. CHOKSI deposited the cash into a Wells Fargo bank account to help businesses avoid paying taxes. S.K. provided him with the fraudulent driver's licenses from Pennsylvania to pick up packages in other individuals' names.

28. Following the arrest of CHOKSI, investigators from the EPPD obtained and executed a search warrant on CHOKSI's residence located at the SUBJECT ADDRESS, Eden Prairie, Minnesota, on June 14, 2019. The search yielded several items of evidentiary value to include:

- a. a Toshiba laptop;
- b. an empty box with a FedEx label (tracking # 415061211237) addressed to "KENNY S. TUKKI" at a Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, sent by VICTIM #5; and
- c. another empty box with a UPS label (tracking # 1Z1R722W0191439731) addressed to "KENNY PUKKI" located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, sent by VICTIM #7.

29. On June 18, 2019, investigators from the EPPD obtained and executed a search warrant for CHOKSI's cellular telephone on his possession at the time of his arrest on June 14, 2019. A search of CHOKSI's cellular telephone identified, but not limited to, the following digital evidence relating to the aforementioned victims:

- a. A photograph containing ten different Pennsylvania driver's licenses with CHOSKI's photograph for the following names: OLMEDO A TRYBULL, ACAVEDO R RAMOS, JORGE R MORTIZ, IVO E HEISE, BENJAMEN V PASSLACK, KENNY S PUKKI, SEBASTINO J SILVENO, GRANT M CANTENO, TIMOTHY D TETTEY, and MARCO L VRANCIC;

- b. A photograph of a FedEx package (tracking # 787443201636) sent by **VICTIM #1** to “ALDO RONALD” at the SUBJECT ADDRESS, Eden Prairie, Minnesota;
- c. A video of a FedEx package (tracking # 787443201636) sent by **VICTIM #1** to “ALDO RONALD” at the SUBJECT ADDRESS, Eden Prairie, Minnesota, being opened and approximately \$8,500 cash being removed from the box and counted. In the video of the FedEx package (tracking # 787443201636) being opened the foot of a woman is also capture on the video;
- d. A screen shot of the tracking information for a FedEx Package (tracking # 787365220758) and a photograph of a FedEx package (tracking # 787365220758) sent by **VICTIM #2** were both located on CHOKSI’s cellular telephone;
- e. A video of a UPS package (tracking # 1Z1EW2894100124562) being opened and approximately \$9,500 cash being removed from the box and counted, and a photograph of the UPS package (tracking # 1Z1EW2891500124478) sent by **VICTIM #3** were located on CHOKSI’s cellular telephone;
- f. A photograph of a USPS missed delivery notification for the package sent by **VICTIM #4** to “ALDO RONALD” of the SUBJECT ADDRESS, Eden Prairie, Minnesota, was located on CHOKSI’s cellular telephone;
- g. A screen shot of the tracking information for a FedEx package (tracking # 415061211237), a photograph of the FedEx package (tracking # 415061211237), and a video of the FedEx package (tracking # 415061211237) being opened and approximately \$10,000 cash being removed from the box and counted sent by **VICTIM #5** to “KENNY S. TUKKI” at Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, were located on CHOKSI’s cellular telephone;
- h. A screen shot of the tracking information for a FedEx package (tracking # 787738307625), a photograph of a FedEx package (tracking # 787738307625), and a video of FedEx package (tracking # 787738307625) being opened and approximately \$9,500 cash being removed from the box and counted sent by **VICTIM #6** to “KENNY S PUKKI” at Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, were located on CHOKSI’s cellular telephone. In the video of the FedEx package (tracking # 787738307625), CHOKSI is seen

opening the package and counting the money while the foot of a woman is captured on the video as well as the voice of a young child who is cooing and gurgling;

- i. Three screen shots of tracking information for the UPS package (tracking # 1Z1R722W0191439731), a photograph of a UPS package (tracking # 1Z1R722W0191439731), and a video of a UPS package (tracking # 1Z1R722W0191439731) being opened and approximately \$6,500 cash being removed from the box and counted sent by **VICTIM #7** to "KENNY S PUKKI" at Walgreens located at 10180 Hennepin Town Road, Eden Prairie, Minnesota, were located on CHOKSI's cellular telephone;
- j. A screen shot of tracking information for a FedEx package (tracking # 106563788202) sent by **VICTIM #8**;
- k. Additional photographs, screen shots, and videos of packages being opened and containing large sums of cash sent via FedEx and UPS, which led to the identification and interviews of six additional victims located in Nevada, Ohio, Washington, Kansas, Massachusetts, and North Carolina.

30. On July 1, 2019, CHOKSI was interviewed by investigators from the FBI

and the EPPD at United States Immigration and Customs' Enforcement and Removal

Office located in Fort Snelling, Minnesota, while in custody for overstay charges.

CHOKSI stated he never lived in Pennsylvania and that he, his wife, SHACHI

NAISHADH MAJMUDAR, and their four-month-old child are the only individuals to

reside at the SUBJECT ADDRESS, Eden Prairie, Minnesota. CHOKSI agreed to accept

cash in the United States for S.K.'s LED light business located Ahmedabad, India.

CHOKSI claimed to only have accepted three or four FedEx packages for S.K. within the

last week that contained a total of approximately \$27,000 cash. CHOKSI deposited the

cash into Wells Fargo and/or Bank of America accounts for S.K. CHOKSI videotaped the

opening and counting of the cash in the FedEx packages as proof to S.K. of the amount of

cash contained in the FedEx packages. CHOKSI also stated that MAJMUDAR did not

know anything about any of the cash he received via FedEx for S.K. in India.

31. MAJMUDAR was also interviewed by an investigator with the EPPD during the search of the residence located at the SUBJECT ADDRESS, Eden Prairie, Minnesota, on June 14, 2019. MAJMUDAR stated that neither she nor CHOKSI currently worked. MAJMUDAR also denied any knowledge of CHOKSI receiving FedEx packages, CHOKSI collecting money, and/or CHOKSI sending money to India.

32. On June 14, 2019, investigators from the EPPD obtained and executed a search warrant for MAJMUDAR's cellular telephone in her possession at the time the search warrant was executed on her residence located at the SUBJECT ADDRESS, Eden Prairie, Minnesota. The digital evidence recovered from the MAJMUDAR's cellular telephone included, but not limited to, the following:

- a. A screen shot of FedEx tracking information for **VICTIM #9**;
- b. A log of telephone calls between MAJMUDAR and S.K. on June 14, 2019, after CHOKSI was arrested by EPPD;
- c. A photograph of the UPS package (tracking # 1Z1EW2891500124478) sent by **VICTIM #3** to "ALDO RONALD" of the SUBJECT ADDRESS, Eden Prairie, Minnesota;
- d. Three photographs of addresses for additional Walgreens located at (1) 16395 Wagner Way, Eden Prairie, Minnesota, (2) 1291 Tasha Drive, Shakopee, Minnesota, and (3) 8100 W County Road 42, Savage, Minnesota;
- e. Three photographs of different Wells Fargo bank deposit slips for (1) \$9,500, (2) \$9,500, and (3) \$1,000 on May 25, 2019, and each deposit consisting of loose currency cash in the denominations of \$100 bills totaling \$20,000 [*Note: VICTIM #3 sent a UPS package (tracking # 1Z1EW2891500124478) to "ALDO RONALD" of the SUBJECT ADDRESS, Eden Prairie, Minnesota, containing \$20,000 cash on May 24, 2019.*];
- f. MAJMUDAR conducted searches on her cellular telephone for a USPS package on May 17, 2019, and May 18, 2019 [*Note: VICTIM #4's*

package was supposed to be delivered to the SUBJECT ADDRESS, Eden Prairie, Minnesota, on May 17, 2019];

- g. Photograph of a Bank of America deposit slip for \$6,130 on May 28, 2019;
- h. Photograph of a Bank of America deposit slip for \$9,500 on May 28, 2019;
- i. Photograph of a Wells Fargo deposit slip for \$5,000 on June 7, 2019;
- j. Photograph of a Bank of America deposit slip for \$8,930 on June 11, 2019.

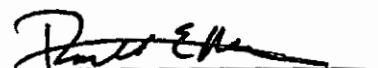
33. On July 29, 2019, a Trooper from the Pennsylvania State Police confirmed the ten Pennsylvania driver's licenses on CHOKSI's person and/or on his cellular telephone were counterfeit. A state issued driver's license number is expressly listed as a "means of identification" in 18 U.S.C. § 1028(d)(7)(A). All of the licenses listed below bore CHOKSI's photography. The license information is provided as follows:

Displayed Name on Driver's License	Pennsylvania Operator License Number	Initials of True Name to Whom License Issued
Ivo E Heise	24 309 808	K.L.S.
Olmedo A Trybull	24 309 806	C.T.R.
Acavedo R Ramos	24 309 085	L.P.J.
Jorge R Mortiz	24 309 089	R.R.
Benjamen V Passlack	24 309 804	R.S.R.
Kenny S Pukki	24 309 091	C.E.D.
Sebastino J Silveno	24 309 087	K.A.D
Grant M Canteno	24 309 810	E.T.U.
Timothy D Tettey	24 309 102	Z.J.W.
Marco L Vrancic	24 309 095	No Record Found

CONCLUSION

34. Based on the information detailed above, I make this affidavit in support of a criminal complaint charging the following individuals, CHIRAG JANAKBHAI CHOKSI and SHACHI NAISHADH MAJMUDAR with: wire fraud, and aiding and abetting wire fraud, in violation of 18 U.S.C. §§ 1343 and 2; conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349; and aggravated identity theft, and aiding and abetting aggravated identity theft, in violation of 18 U.S.C. §§ 1028A and 2.

Respectfully Submitted,



Ronald E. Miller
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN before me this 5th day of September 2019.



/S/

David J. Novak
United States Magistrate Judge